

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 6555

BILL NUMBER: HB 1369

DATE PREPARED: Nov 29, 2001

BILL AMENDED:

SUBJECT: Operating a Vehicle While Intoxicated.

FISCAL ANALYST: Karen Firestone

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FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill requires a person to be imprisoned for at least 60 days if: (1) the person committed a Class A misdemeanor or a felony under the drunken driving laws; and (2) the person's driving privileges were already suspended under the drunken driving laws at the time the person committed the offense.

Effective Date: July 1, 2002.

Explanation of State Expenditures: Under the bill, if an offender's driving privileges have been suspended and the offender is convicted of a new drunken driving law violation, the offender would have to be imprisoned for at least 60 days. On average, felony offenders serving a term of incarceration in a state facility serve a sentence greater than 60 days. If the offender violating this provision by committing a felony offense would have served a term of incarceration less than 60 days in a state facility, then costs to the state could increase.

The average expenditure to house an adult offender was \$22,131 in FY 2000. Individual facility expenditures ranged from \$16,442 to \$40,312. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner.

Explanation of State

Explanation of Local Expenditures: A Class A misdemeanor is punishable by up to one year in jail. If an offender would otherwise have served less than 60 days of incarceration or completed community service in lieu of a jail sentence, the length of stay in a county jail may increase. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement.

Information Sources: Indiana Sheriffs Association, Department of Correction.